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CHAMBERS OF
DEBORAH A. BATTS
U.S.D.J.

January 19, 2011

By Hand

The Honorable Deborah A. Batts
United States District Judge
Daniel Patrick Moynihan United States Court House
500 Pearl Street, Room 2510
New York, New York 10007

Re: FDIC v. The McGraw Hill Companies, Inc. et. al., Index No. 10-cv-4421-DAB

Dear Judge Batts:

We represent the plaintiff Federal Deposit Insurance Corporation ("FDIC"), as Receiver for Riverside National Bank of Florida, in the above-referenced action.

As the Court is aware, the Bank initially commenced this litigation before the FDIC was appointed as Receiver. This is a "complex" litigation, "which involves a large number of defendants in different lines of business as well as complicated structured financial instruments." The FDIC therefore is requesting additional time to further investigate and evaluate the action in keeping with the FDIC's role as Receiver of the failed bank.

MEMO ENDORSED

As a result, after consulting with defense counsel, we respectfully request an extension of the existing adjournment of all further proceedings in the case -- including the current briefing schedule for defendants' anticipated motions to dismiss -- such that the adjournment currently scheduled to end on February 18, 2011 would terminate on April 29, 2011 and defendants' anticipated motions to dismiss currently due to be filed on February 21, 2011 would be due on May 2, 2011.

Granted. No further extensions. Parties to communicate if settlement becomes a realistic possibility. DAB 01/20/11

MEMO ENDORSED

All defense counsel have consented to the FDIC's request.

We, of course, are available to address these matters further as the Court requires.

Respectfully,

Alan T. Gallanty

Copy for: All Counsel (by electronic mail)

SO ORDERED

Deborah A. Batts

DEBORAH A. BATTS
UNITED STATES DISTRICT JUDGE

Jan 20, 2011